

## **1502. Members; Chairman; meetings; quorum; records; conflict of interest.**

(a) Composition; Chairman. -- The Delaware Gaming Control Board shall be composed of 75 members ~~equally divided between all sports, amusements and other activities under the Board's jurisdiction~~. Membership on the Board shall include public members, and the number of public members shall not be less than one-fourth of the total Board membership; and further provided that 1 member of the Board shall be a member active and in good standing from the Delaware Volunteer Fireman's Association. The Board shall annually elect a Chairman from among its membership.

(b) Qualifications. -- No member shall, while serving on the Board, be an elected or appointed official of a professional association which represents or claims to represent an occupational group regulated by this chapter. During the period a member serves on the Board his primary business or occupational office shall be located within this State; and such member shall be fully qualified in the occupation or activity which he represents.

(c) Appointment; term of office. --

(1) All members of the Board shall be appointed by the Governor.

(2) All Board vacancies shall be filled by the Governor for the remainder of the term vacated, and successors shall have the same qualifications required for the original appointment.

(3) No member shall serve 2 consecutive full terms; provided, however, that a member may succeed himself for a full term if such full term immediately follows a partial term where the member had been appointed to fill a vacancy.

(4) All terms shall be for a period of 5 years; and the terms of Board members shall be staggered in such manner as will insure, as nearly as possible, an equal and uniform number of vacancies arising each year.

(5) The term of an appointed member shall expire on the date specified in the appointment, and the member shall no longer be eligible to participate in Board proceedings unless lawfully reappointed.

(6) The Chairman shall serve in that office for 1 year, and shall not succeed himself.

(d) Suspension or removal. -- A member of the Board shall be suspended or removed by the Governor for misfeasance, nonfeasance or malfeasance. A

member subject to disciplinary proceedings shall be disqualified from Board business until the charge is adjudicated or otherwise concluded. A Board member may appeal any suspension or removal to the Superior Court.

(e) Compensation. -- Each member of the Board shall receive compensation at the rate of \$~~150~~50 per meeting if he or she attends; provided, however, that no member shall receive compensation for the year in excess of \$~~4,000~~500 and the Board shall not be paid for more than 10 meetings during a calendar year.

(f) Meetings; quorum. --

(1) The Board shall hold a regularly scheduled business meeting at least once in each quarter of a calendar year and at such other times as the Chairman deems necessary, or at the request of a majority of Board members.

(2) Advance notice of any special meeting shall be given to all members.

(3) A majority of members shall constitute a quorum.

(4) Any member who fails to attend ~~4~~3 consecutive meetings, or who fails to attend at least half of all regular meetings during any calendar year, shall automatically upon such occurrence be deemed to have resigned from office.

(g) Records. -- Minutes of all meetings shall be recorded and copies of the record shall be maintained by the Division of Professional Regulation. All matters relating to a hearing held pursuant to statute shall be recorded and transcribed, if necessary, by the Division.

(h) Conflict of interest. -- The provisions set forth for "employees" in § 5801 et seq. of Title 29 shall apply to all members of the Board, and to all agents and other persons appointed by or otherwise employed by the Board. (63 Del. Laws, c. 144, § 2; 65 Del. Laws, c. 226, §§ 1, 2; 65 Del. Laws, c. 325, §§ 1, 2; 65 Del. Laws, c. 355, § 1.)

#### **~~1504. Poker games.~~**

~~The Gaming Control Board shall promulgate rules and regulations concerning the game of poker; provided, however, a licensed organization shall not be prohibited from utilizing monitors and/or engaging the use of dealers at any poker game. (69 Del. Laws, c. 37, § 1.)~~